

1  
2  
3  
4  
5  
6  
7  
8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10

11 JIMMIE STEPHEN,

12 Petitioner,

13 v.

14 WARDEN G. MATTESON,

15 Respondent.  
16

No. 2:20-cv-1003 KJM KJN P

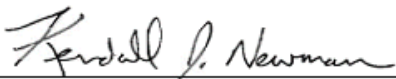
ORDER

17 Petitioner is a state prisoner, proceeding pro se, with a petition for writ of habeas corpus  
18 under 28 U.S.C. § 2254. On May 17, 2021, petitioner requested an “order for certification”  
19 seeking immediate release from custody and monetary damages for his purported  
20 disproportionate sentence. (ECF No. 25.) Such request accompanied his motion for entry of  
21 clerk’s default, which the clerk properly declined in light of the order granting respondent an  
22 extension of time, *nunc pro tunc*, in which to file an answer. The instant petition is not yet  
23 submitted for decision, and, in any event, petitioner is unable to obtain money damages through a  
24 habeas action. Thus, petitioner’s request is denied.

25 Accordingly, IT IS HEREBY ORDERED that petitioner’s request (ECF No. 25) is denied.

26 Dated: May 20, 2021

27 /step1003.den  
28

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE